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| 09/372,365      | 08/11/1999  | SATYAN G. PITRODA    | 2683/74619          | 1321             |

7590 02/03/2003

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EXAMINER

NGUYEN, NGA B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/372,365

Applicant(s)

Pitroda

Examiner

Nga B. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Nov 7, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other:

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### **DETAILED ACTION**

1. This Office Action is the answer to the Request for Continued Examination filed on November 7, 2002, which paper has been placed of record in the file.
2. Claims 34, 35, and 37-42 are canceled. Claims 1-11 are pending in this application.

#### ***Response to Arguments/Amendment***

3. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new grounds of rejection.

#### ***Specification***

4. The abstract of the disclosure is objected to because it is too long. The abstract should be brief, no longer than 150 words, and on a separate piece of paper. Correction is required. See MPEP § 608.01(b).

#### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 2-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

“The transaction service provider” (line 1, claims 2-11) lack of antecedent basis.

Correction is required.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al, U.S. Patent No. 5,794,207.

Regarding to claim 1, Walker discloses a service provider for administering a plurality of accounts for a client, comprising:

a computer, having a processor, a data storage medium, and a network port (see figure 2, items 205, 250, 245);

the storage medium configured to store the client's personal information, account information, and transactional information (column 13, lines 1-10, 23-35, 63-67, Buyer database 255, Buyer account 297, CPO database, Counteroffer database);

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the processor configured to:

create a database of client information including the client's personal information, account information corresponding to a plurality of accounts associated with the client, and transactional information corresponding to plurality of transactions conducted by the client (column 13, lines 1-10, 23-35, 63-67, Buyer database 255, Buyer account 297, CPO database, Counteroffer database);

designate as confidential a predetermined first portion of the database client information (column 13, lines 1-10);

designate as non-confidential a predetermined second portion of the database of client information non-confidential (column 13, lines 23-30);

provide the client with access to the predetermined first and second portions of the database of client information via the network port (column 17, lines 27-47 and column 22, line 52-column 23, line 17).

provide a plurality of vendors with access to the predetermined second portion of the database of client information via the network port (column 18, lines 55-column 19, line 12);

Walker does not directly teach deny access for the plurality of vendors to the predetermined first portion of the database of client information. However, restricting some particular people access to a specific database is well known in the art. Moreover, nowhere in Walker's teaches that the sellers can access to buyer database or buyer account database, the sellers can only access to the CPO database to bind to CPO submitted by the buyers. Therefore, it

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would have been obvious in Walker's that central controller does not allow the sellers access to the buyer database for the security purpose, to protect the buyer confidential information.

Regarding to claim 2, Walker further discloses the storage medium is further configured to store information corresponding to the plurality of vendors; and the processor is further configured to: create a database of vendor information; receive a transaction request from a client; analyze information in the database; analyze information in the database of vendor information; analyze information in the database of client information; provide a suggested transaction to the client based on the information in the database of vendor information and the database of client information (column 12, line 54-column 14, line 7).

Regarding to claim 3, Walker further discloses the processor is further configured to: establish communication with a vendor via the network port; disclose information from the predetermined second portion of the database of client information to the vendor; receive information from the vendor; provide information received from the vendor to the client (column 18, line 55-column 19, line 60).

Regarding to claim 4, Walker further discloses the processor is further configured to: establish a communications with a service institution via the network port; receive transaction information corresponding to the client from the service institution; add the transactional information received from the service institution to the database of client information (column 21, lines 29-37).

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Regarding to claim 5, Walker further discloses the processor is further configured to: establish communication with the client via the network port; receive information from the client; and add the information received from the client to the database of client information (column 15, line 60-column 16, line 65).

Regarding to claims 6-9, Walker further discloses the information received from the client includes transaction information, personal information, account information, promotional information (column 13, lines 1-10, 23-35, 63-67).

Regarding to claim 10, Walker further discloses the processor is further configured to establish communication with an electronic transaction device and transactional information is received from the electronic transaction device (column 12, lines 40-53).

Regarding to claim 11, Walker further discloses the processor is further configured to: establish communications with a service institution via the network port; receive information corresponding to the client from the service institution; add the information received from the service institution to the database of client information; establish communication with the client via the network port; receive information from the client; add the information received from the client to the database of client information; and reconcile the information received from the service institution with the information received from the client (column 17, lines 27-47);

***Conclusion***

9. Claims 1-11 are rejected.

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10. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892 for the list of prior arts provided).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nga B. Nguyen, whose telephone number is (703)306-2901. The examiner can normally be reached on Monday-Thursday from 8:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Souh, can be reached on (703)308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-1113.

12. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks

c/o Technology Center 3600

Washington, D.C. 20231

**or faxed to:**

(703) 305-7687, (for formal communications intended for entry)

**or:**

(703) 308-3961 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).




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Nga B. Nguyen  
January 24, 2003



Hyung-Sup Soung  
Primary Examiner